



PUBLIC NOTICE

Federal Communications Commission
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DA 19-996

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON WEATHERDOCK AG REQUEST FOR LIMITED WAIVER TO PERMIT EQUIPMENT AUTHORIZATION AND USE OF MARITIME SURVIVOR LOCATING DEVICE WITH OPEN LOOP ALERTING

WT Docket No. 19-281

Comment Date: November 4, 2019

Reply Date: November 19, 2019

By this *Public Notice*, we seek comment on a request for waiver filed by Weatherdock AG (Weatherdock) to permit the equipment authorization and use of its easyONE Maritime Survivor Locating Device (MSLD), which incorporates open loop alerting in compliance with the current Radio Technical Commission for Maritime Services (RTCM) standard.¹

An MSLD is a small portable transmitter that is intended to aid in the location of persons in the water.² MSLDs can be worn on or as part of a garment or life jacket, and are intended to facilitate the rescue of personnel in the vicinity of their vessel or structure so that immediate assistance can be rendered without a time-consuming and expensive search and rescue operation.³ The devices must conform with the version of RTCM Standard 11901 that is incorporated by reference in the Commission's rules.⁴

MSLDs may operate in "closed loop" or "open loop" mode. A closed loop alert is received only on a device monitored by personnel at the MSLD wearer's vessel (or fleet of vessels) or facility, while open loop operation allows alerting of all vessels in the vicinity equipped with Digital Selective Calling (DSC) equipment. The version of the RTCM MSLD standard incorporated by reference in the Commission's rules requires the device to begin in closed loop mode, and it does not permit open loop alerting unless the closed loop DSC alert is not acknowledged for five minutes. Since the Commission adopted its rule, however, RTCM has revised the standard to eliminate the delay in open loop alerting.⁵

¹ See Request by Weatherdock AG for Waiver of the Commission's Rules (dated June 18, 2019).

² 47 CFR § 95.2903.

³ See *Amendment of the Commission's Rules Regarding Maritime Radio Equipment and Related Matters et al.*, Report and Order, 31 FCC Rcd 10300, 10307, para. 18 (2016).

⁴ RTCM Standard 11901.1 for Maritime Survivor Locating Devices (MSLD), dated June 4, 2012; see 47 CFR § 95.2989(b)(1)(ii).

⁵ See RTCM Standard 11901.1 with Amendment 1 for Maritime Survivor Locating Devices (MSLD), dated May 2, 2014. The current version of RTCM Standard 11901.1 is dated February 5, 2015.

Weatherdock believes that MSLDs designed to the new RTCM standard constitute an upgrade that will enhance the ability to locate persons in distress, and already offers the easyONE with open loop alerting for sale abroad. It seeks a waiver to permit equipment certification and use of MSLDs with open loop operation pursuant to the revised RTCM standard while the Commission considers whether to incorporate that standard into its rules.⁶

We seek comment on the waiver request.

Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference the docket number appearing on the first page of this *Public Notice*. Parties may file comments using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁷

- **Electronic Filers:** File comments electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Address filings to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Send U.S. Postal Service first-class, Express, and Priority mail to 445 12th St., SW, Washington DC 20554.

The request, and comments and reply comments filed in response to this *Public Notice* are available for viewing via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number appearing on the first page of this *Public Notice*. The documents also will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II,

⁶ On August 20, 2018, RTCM filed a petition for rulemaking proposing the incorporation by reference of the revised RTCM MSLD standard. Radio Technical Commission for Maritime Services Petition for rulemaking to amend Part 95 of the Commission's rules to provide for a new standard on Personal Locator Beacons, RM-11813 (filed Aug. 20, 2018), <https://www.fcc.gov/ecfs/filing/1081900919860>. The petition was placed on *Public Notice*, August 23, 2018 (Report No. 3100, RM-11813). Comments to the *Public Notice* support the petition.

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

445 12th Street S.W., Room CY-A257, Washington, D.C. 20554. Reference Information Center business hours are available at <https://www.fcc.gov/general/fcc-reference-information-center>.

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This proceeding has been designated as a “permit-but-disclose” proceeding in accordance with the Commission's *ex parte* rules.⁸ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Mr. Tim Maguire of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-2155, tim.maguire@fcc.gov.

Action by the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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⁸ See 47 CFR §§ 1.1200(a), 1.1206.